

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 9, 1981
3:00 P.M.

Council Chambers
301 West Second Street

The Meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan

Absent: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy

Mayor McClellan waited for a quorum before beginning the meeting.

Councilmembers Duncan and Urdy entered the Council Chamber at 3:10 P.M.

Councilmember Deuser entered the Council Chamber at 3:11 p.m.

Mayor Pro Tem Trevino entered the Council Chamber at 3:23 p.m.

Councilmember Mullen entered the Council Chamber at 3:19 p.m.

Mayor McClellan noted the absence of City Clerk Grace Monroe and wanted the Minutes to reflect that she is missed.

AUSTIN PUBLIC LIBRARY

Councilmember Duncan moved that the Council adopt a resolution entering into a three-year lease with Allied Development Company for the Austin Public Library. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

LEASE RENEWAL - PLANNED PARENTHOOD

Councilmember Duncan moved that the Council adopt a resolution approving a lease renewal with Planned Parenthood with same terms as before. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

SANITARY SEWER EASEMENT

Councilmember Duncan moved that the Council adopt a resolution approving the dedication of a tract of land as a sanitary sewer easement: A strip of land thirty (30.00) feet in width, same being out of and a part of those certain two (2) tracts of land out of John C. Brooks Survey No. 53 in the City of Austin. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Duncan moved that the Council adopt a resolution acquiring the following tract of land for the Jefferson Street Flood Control. C.I.P. No. 81/60-05:

All of Lot 110 Ridgelea Addition, 4003 Jefferson Street.
(Jane Townsend)

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino

Noes: None

Absent: Councilmember Goodman

Councilmember Duncan moved that the Council adopt a resolution acquiring the following tract of land for the Jefferson Street Flood Control. C.I.P. No. 81/60-05:

All of Lot 3 Allen Oaks Addition, 3903 Jefferson Street.
(Martha A. Boyd)

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino

Noes: None

Absent: Councilmember Goodman

Councilmember Duncan moved that the Council adopt a resolution acquiring the following tract of land for the Jefferson Street Flood Control. C.I.P. No. 81/60-05:

All of Lot 2 Allen Oaks Addition, 3905 Jefferson Street.
(Jim A. Fergeson and Barbara S. Anderson)

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino

Noes: None

Absent: Councilmember Goodman

Councilmember Duncan moved that the Council adopt a resolution acquiring the following tract of land for the Jefferson Street Flood Control. C.I.P. No. 81/60-05:

All of Lot 114 Ridgelea Addition, 4011 Jefferson Street.
(Edward J. Crew and Thelma Crew)

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

CHANGE ORDER

Councilmember Duncan moved that the Council adopt a resolution approving the following change order: CAPITAL IMPROVEMENTS PROGRAM - In the amount of \$4,980.00 to Waggoner Construction Company for street, drainage and sidewalk improvements. C.I.P. No. 75/62-20. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

CONTRACTS APPROVED

Councilmember Duncan moved that the Council adopt a resolution approving the following contract:

ROBERT JENTSCH CONSTRUCTION P.O. Box 3343 Austin, Texas	- CAPITAL IMPROVEMENTS PROGRAM - 1978-79 Safe School Sidewalks North Loop Boulevard and Emerald Forest Drive - \$16,067.50 C.I.P. No. 78/61-02
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The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

Councilmember Duncan moved that the Council adopt a resolution approving the following contract:

V & H ASSOCIATES
1402 East First Street
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Safe Street Sidewalk Program
Phase IV, Berkman Drive - \$41,765.00
C.I.P. No. 78/61-02

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

Councilmember Duncan moved that the Council adopt a resolution approving the following contract:

COVINGTON DIESEL, INC.
Interstate 40 W. @ Chimney
Rock Road
Greensboro, North Carolina

- CAPITAL IMPROVEMENTS PROGRAM -
Automatic Transmission, Urban
Transportation Department
Item 1, 1 ea. - \$9,883.00
C.I.P. No. 81/90-03

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

Councilmember Duncan moved that the Council adopt a resolution approving the following contract:

BESCO, INC.
1616 West 5th Street
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Transmission Equipment, Electric
Utility Department
Item 1, 4 ea. - \$27,400.00
C.I.P. No. 81/14-01

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

Councilmember Duncan moved that the Council adopt a resolution approving the following contract:

- Bid award: - Laundry Equipment, Brackenridge Hospital
- (1) HUGH HENDERSON COMPANY - Item 2 - \$298,000.00
5805 Star Lane
Houston, Texas
- (2) A.I.M. INC. - Item 3, Carts, 18 ea. - \$23,701.50
3720 San Janinto
Houston, Texas

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

Councilmember Duncan moved that the Council adopt a resolution approving the following contract:

- Bid award: - Bolts, Nuts, Washers, and Screws,
Central Stores
Six (6) Month Supply Agreement
Items 1 thru 943 to be multiple
progressive awards by line item
to appropriate supplier based on
first, second and third low
bidder, etc. - Estimated total
\$12,500.00
1. AMERICAN BOLT & NUT COMPANY
2700 Burleson Road
Austin, Texas
 2. ALLEN'S HARDWARE
2056 Stassney
Austin, Texas
 3. AUSTIN BOLT COMPANY
9708 Gray Boulevard
Austin, Texas

4. CAPITAL BOLT SUPPLY COMPANY
300 Neches
Austin, Texas
5. LAWSON PRODUCTS, INCL
c/o R.E. Thronton
902 Battle Bend Boulevard
Austin, Texas
6. LONGHORN BOLT & SCREW
10109 McKalla Place, Suite H
Austin, Texas
7. TEXAS BOLT AND SCREW
514 El Paso Street
San Antonio, Texas

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

RISK MANAGEMENT

Councilmember Duncan moved that the Council adopt a resolution approving a contract to conduct a risk management program review. The motion, seconded by Mayor McClella, carried by the following vote:

Ayes: Councilmember Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

PUBLIC HEARING SET - RAINEY STREET

Councilmember Duncan moved that the Council set a public hearing for December 17, 1981 at 7:30 p.m. to consider adoption of the Rainey Street Barrio Plan. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

AGREEMENT WITH ACC

Councilmember Duncan moved that the Council adopt a resolution entering into an agreement with Austin Community College to allow utilization of the Health Department's VD Clinic as an education facility for ACC to conduct training to Allied Health Sciences' students in venipuncture techniques. (No City funding required.) The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

HEALTH SERVICES - INDOCHINESE REFUGEES

Councilmember Duncan moved that the Council adopt a resolution authorizing renewal and amendment of the contract with the Texas Department of Health for outreach and health screening services provided to Indochinese refugees. (October 1, 1981 through September 30, 1982 - No City funds required.) The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

PRIVATE INDUSTRY COUNCIL

Councilmember Duncan moved that the Council adopt a resolution authorizing an amendment to the Capital Area Consortium Agreement to expand the Private Industry Council from nine to thirteen members and incorporating the changes required by recent amendments to the CETA legislation. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

SOCIAL SERVICE PROJECT GRANT

Councilmember Duncan moved that the Council adopt a resolution authorizing submission of an application for a social service project grant in the amount of \$2,100 from the Capital Area Planning Council. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

CONSOLIDATED RATE CASE

Councilmember Duncan moved that the Council adopt a resolution approving the participation by the City of Austin in the consolidated rate case regarding Southwestern Bell, sponsored by the Texas Municipal League. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

PUBLIC HEARINGS SET

Councilmember Duncan moved that the Council set a public hearing for January 7, 1982 at 7:30 p.m., on proposed amendments to the Zoning Ordinance concerning landscaping. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

Councilmember Duncan moved that the Council set a public hearing for January 14, 1982 at 6:00 p.m., on an amendment to the Austin Metropolitan Area Road Plan for Howard Lane and Pflugerville Road. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

CHANGE OF MEETING TIME SUGGESTED

Mayor McClellan suggested that Council may want to begin its December 17, 1981 meeting at an earlier time because of the number of public hearings to be scheduled and the full agenda contemplated.

Motion

Councilmember Deuser made a motion, seconded by Councilmember Duncan, to begin the meeting at 1:00 p.m.

Substitute Motion

Councilmember Mullen made a motion, seconded by Mayor McClellan to begin the meeting at 10:00 a.m.

Roll Call on Substitute Motion - NO ACTION

Roll Call on the Substitute Motion FAILED to carry by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Trevino, Councilmember Mullen
Noes: Councilmembers Deuser, Duncan
Abstain: Councilmember Urdy
Absent: Councilmember Goodman

Roll Call on Motion - NO ACTION

Roll Call on Motion to begin Council Meeting at 1:00 p.m.,
 FAILED to carry by the following vote:

Ayes: Councilmembers Deuser, Duncan, Urdy
 Noes: Mayor Pro Tem Trevino, Councilmember Mullen, Mayor McClellan
 Absent: Councilmember Goodman

NO ACTION ON AGENDA ITEM

Council had before it a resolution to set a public hearing relating to Tax Increment Financing Zone (s) for December 18, 1981. No action was taken.

ZONING GUIDELINES - KOENIG LANE

Councilmember Mullen moved that the Council approve land use and zoning guidelines for Koenig Lane. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Mullen, Urdy, Mayor McClellan,
 Mayor Pro Tem Trevino
 Noes: None
 Abstain: Councilmember Deuser
 Absent: Councilmember Goodman

OPERATING BUDGET AMENDMENT

Mayor McClellan introduced the following ordinance:

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance amending the 1981-82 Operating Budget by appropriating \$12,075.00 from the General Fund ending balance for the purpose of funding the cost of Austin's participation in the Southwestern Bell Rate Case. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Urdy, Mayor McClellan, Mayor Pro Tem
 Trevino, Councilmembers Deuser, Duncan
 Noes: None
 Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

*End - no
 211700-8*

Operating Budget Amendment

Item F-1

Ordinance No. 111209-A

APPROACH MAINS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN APPROACH MAIN CONTRACT WITH COTTON-PEEVY CO., SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Cotton-Peevy Company)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN APPROACH MAIN CONTRACT WITH CORNERSTONE DEVELOPMENT CORP.; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN APPROACH MAIN CONTRACT WITH DON BECKER BUILDERS, INC., SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE AMENDMENTS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 810411-G, ZONING CASE C14r-81-107, ENACTED BY THE CITY COUNCIL ON NOVEMBER 4, 1981, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 2.043 ACRE TRACT OF LAND OUT OF THAT CERTAIN 6.881 ACRES OUT OF THE HENRY WARHELL SURVEY NO. 20, LOCALLY KNOWN AS 4806-4908 SPRINGDALE ROAD, FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Big Brothers/Big Sisters, C14-81-197)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

ITEM PULLED FROM AGENDA

During the consent motion on ordinances, consideration of the following was pulled off the agenda: Second and third readings of ordinance annexing for limited purposes 7.23 acres of land known as the Los Altos Village.

C.I.P. ELECTRIC REQUIREMENTS FOR JANUARY

Mr. R.L. Hancock, Director of Electric Utility, reported on C.I.P. Electric Requirements for January, 1982 as follows:

The City Council has authorized \$8,900,000 for critical Electric Utilities activities during the first quarter of FY 1982. \$7,380,000 was approved for conventional electric system improvements, with the remaining \$1,520,000 being used to fund lignite activities. The priorities for funding of the critical conventional projects were based on the Gray Plan, as previously submitted to the Council.

The Electric Utility is continuing to use the Gray Plan as the basis for its construction program. Based on the same priority of projects, the Electric Utility will need funds totaling \$1,487,000 to cover expected C.I.P. requirements during January, 1982. A breakdown of funding is as follows:

<u>Serial #</u>	<u>Project Title</u>	<u>Amount</u>
<u>Miscellaneous</u>		
75/11-01	ECC Improvements	\$50,000
<u>Distribution</u>		
82/14-01	O.H. Extensions	\$271,000
82/14-02	System Changes for increased load	30,000
82/14-03	Relocate/Replace System Facilities	46,000
82/15-01	U.G. Extensions	837,000
82/15-02	U.G. Major Projects	<u>143,000</u>
	Total Distribution	\$1,327,000
<u>Streetlighting</u>		
82/17-01	Residential Streetlighting	\$110,000
	Total Requirements	\$1,487,000

It shall be noted that the January funding request will exhaust remaining Electric Utility conventional capital funds. Decisions on remaining FY 82 capital requirements will need to be reached before the end of January, 1982. The projected operating ending balance for FY 82, excluding funding needs for PURPA and PUC Hearings, will allow for funding the Gray Plan for the duration of FY 82. Use of the ending balance to fund capital improvements will have future rate increase implications.

Councilmember Deuser commented there was nothing concerning the extension of street light and hook up fees collected. Mr. Hancock said that will begin to flow when construction activity is complete, but no funds have accrued yet.

Mayor McClellan introduced the following ordinance:

Ord. 77.
811210-A

Councilmember Deuser moved that the Council waive the requirement for three readings and finally pass the ordinance approving 30 day funding authorization for Electric Utility Capital Improvements Program in the amount of \$1,487,000 to cover expected requirements for January, 1982. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmember Deuser

Noes: None

Absent: Councilmember Goodman

Not in Council Chamber when roll was called: Councilmember Duncan

The Mayor announced that the ordinance had been finally passed.

WEED CONTROL PROGRAM

Dr. Randall, Director, Health Department, reported on the weed control program and the possibility of establishing an enterprise fund for the program. He said the City Legal Department has reviewed the State Law authorizing the cutting of weeds on private property and securing a lien if necessary to recover costs. They have been advised the increase of reimbursement to the City could be from approximately forty-one percent which is the current amount received to approximately forty-nine percent of the cost of the program. This is due to the wording of the law. Dr. Randall said, "Although we feel that the program does not meet the criteria for an enterprise fund, we do suggest that we capture the maximum amount of administrative expenses possible and that a separate revenue center be developed to assess and report revenues and expenses."

Mayor McClellan asked if there is any way to charge people who wait for the City to cut their weeds. She asked the City Manager to request an opinion from the Legal Department.

Ordinance No. - 811210-A
Item F-2

C.S.P. Electric Requirements for
January

MUNICIPAL LIABILITY INSURANCE FOR CITY OFFICIALS

Mr. Jonathon Davis, Assistant City Attorney, reported to Council concerning municipal liability insurance for City officials. "Several months ago Council asked staff to look into the feasibility of providing liability insurance for boards and commissions, particularly the Planning Commission. Since then the staff has been in contact with a number of insurance agents and brokers. We have discovered that the range of coverage is wide. Some are willing and able to provide coverage to the Planning Commission independent from any other board or commission, depending upon what amount of resources they control and their past history regarding lawsuits, etc. Other companies have said we can provide that sort of coverage as an endorsement to a general liability policy that includes all the City. We have at least one estimate to cover the Planning Commission. It would range between \$1,000 and \$2,000 a year with \$1,000,000 liability for all members. That would increase if the amount of coverage were increased. In the risk management proposal which you approved today, one of the tasks set out for the consultant to do is to study the City's overall insurance plan to see whether or not this is adequate or if it needs to be beefed up in particular areas or deleted in those areas where liability insurance is already being provided. At this point it is our recommendation that we go ahead and share what we have already discussed with the consultant and let him report back to you on his study of the City's insurance needs and proceed after the report has been received."

Jorge Carrasco, Assistant City Manager, said the plan was to have the consultant on board before January 1 so they could review any policies that are up for renewal at the end of the calendar year. The actual study period will take about three months to complete all facets of the study anticipated.

Councilmember Mullen said he recommends buying the policy for the Planning Commission. He said it will be three to six months before the study is complete and he would prefer for the Planning Commission to have protection in the interim period. Councilmember Mullen asked this be brought back on the agenda next week to pursue that and come back with the final price before it can be finalized.

Motion

Councilmember Mullen moved that the Council approve purchase of an insurance policy for the Planning Commission and bring back on next week's agenda for action. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmember Urdy, Mayor McClellan, Mayor Pro Tem Trevino,
Councilmembers Deuser, Duncan, Mullen

Noes: None

Absent: Councilmember Goodman

REFUNDING REVENUE BONDS

Mr. Meiszer, City Manager, reported to Council concerning issuance of "City of Austin, Texas, Utility System Refunding Revenue Bonds, Series 1982". He said he has a problem with the proposal because in his mind things are happening too fast. He said the Council needs more information on whether or not to take this course of action. He suggested the whole proposition should be delayed for a few weeks.

Mayor McClellan commented, "I am yet to be convinced there is a need to do the refunding right now. I know there is concern about the tax issue but I have had any number of attorneys point out that if you take the proceeds from the sale and put it into retiring the debt that you would not have that problem. I am concerned that it almost appears we are still rushing to do a deal rather than something we have a very clear, firm recommendation on. If you follow the logic if interest rates go up you should be refunding and yet you are adding on another layer of debt. I suggest that before we proceed with RFP's that we make a strong request today to have, by next week, that we require and request a written study and report from our City staff, from our financial advising firm First Southwest and also from our bond Council....addressing the legal needs, the financial reasons for doing this, the ramifications and to include a schedule which would show the net debt of the City at the present time and the proposed total new debt to include principle and interest, and that we have a chance to review that before we proceed with the RFP."

Councilmember Duncan said he wants to know also, if we refund and then sell STNP would we have another refund at that time.

After more discussion it was decided the process should be slowed and more information obtained.

HOSPITAL BOARD REPORT

Mr. Spurck, Administrator, Brackenridge Hospital, reported on the Hospital Board as follows: "In early October I made a presentation on behalf of the CTMF Board to make the Council aware of the financial dilemma that CTMF was facing in view of the \$1.2-million budget that was approved for CTMF as a part of the Fiscal Year 81-82. Because of the presentation the Council decided two things. One, to fund for the next three months CTMF at \$150,000 per month and then direct our Hospital Board to work with CTMF to see if the \$1.2-million is unreasonable and if it is to come back with a workable request. We are here with a reasonable request. The CTMF budget had been \$1.75, it is now requested to be at \$1.5-million and will require the Council for the next six month period to fund CTMF at \$125,000 and for the last quarter, \$100,000 per month. During the next four month period also our Hospital

Board will continue to work with the CTMF Board each month to improve some financial relationships the hospital has with CTMF to hopefully increase revenues and work toward a mutual benefiting marriage between CTMF and the hospital whereby CTMF could possibly contract with the hospital for accounting and financial management. This will further reduce the responsibility of the City to CTMF budget."

Motion

Councilmember Mullen moved that the Council bring back a budget amendment for funding for CTMF on December 16, 1981 Agenda. The motion, seconded by Councilmember Deuser, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Deuser, Duncan, Mullen, Urdy,

Noes: None

Absent: Councilmember Goodman

Not in Council Chamber when roll was called: Mayor Pro Tem Trevino

(Collection of Delinquent Accounts)

Mr. Spurck then introduced Mr. Terry Sasser, a member of the Hospital Board, who reported on delinquent accounts. Mr. Sasser stated, "Brackenridge has improved its financial posture since 1977....We now enjoy a positive cash flow situation that is reflected in an income statement that shows an excess of income over expense and a favorable account for receivable status. Unfortunately, the accounts receivable status is not where we would like for it to be. As a part of our total review on the Finance Committee and the Hospital Board we find the collection of delinquent accounts has been examined fully. The City Legal Department currently pursues collection of delinquent accounts for the hospital and an examination of the collection efforts of the claims division over the prior fiscal year reveals that the total amount of accounts turned over to claims for collection for fiscal year ending 9/30/81 was \$8,486,615.00. The total amount collected for the year was \$1,045,896. That includes court costs collected, not identified and a portion of this is an item we cannot identify to indirect costs that we are going to be charged for this year. As a result the claims division collected approximately 12% of the total. Since the claims division has processed these accounts for over four years that the ratio should be in the neighborhood of 30% rather than 12% and that the claims division collections do not justify their continuing as the hospital collections source. At this time we have a contract with the firm of Alvis, Carssow and Von Kreisler which was approved as per an RFP earlier this year. In response to that they addressed all delinquent hospital accounts in the RFP. The contract was approved by Council on a more limited basis last spring and the modification of this contract is in accord with the RFP we have already addressed to you. The hospital must continue to be very aggressive in all aspects of

this financial operation so that will not become a burden to the taxpayers. We feel one way to continue the aggressiveness is to refer all the hospital delinquent accounts to the law firm of Alvis, Carsow and Von Kreisler. The Hospital Board is acutely aware of sound financial planning and we don't want to be process oriented but results oriented. We feel like the amounts of accounts in question will increase the bottom line to the hospital. As you know, with the \$2,000,000 debt service being paid back this year and the \$2,000,000 for 3B that we are going to have to spend out of the hospital budget and picking up CTMF, we're \$5,000,000 in the hole before we ever start. Therefore it seems apparent that we must make some move. If we don't make any move at all we certainly are losing ground. If our accounts receivable were \$8,000,000 last year we project them to be 12,000,000 to \$14,000,000 this year. A 12% ratio of collection will not get the job done. We have talked to Mr. Weichert and the City claims division and asked them numerous times to see what they could tell us they can do to improve their performance and they commented they would do whatever we instructed them to do but would continue with the process they have been using in the past. Therefore, we make this request of you because Alvis and Carsow have the ability to handle these accounts."

Mayor Pro Tem Trevino suggested no action be taken today. He said some information will be coming from the County Commissioner's Court and until then he would like to wait. Councilmember Mullen stated, "I think we are going to have a conflict here. The City Manager will have to see if we do this, some staff members will be changed. Some may lose their jobs or moved and we need a recommendation as to the best way to handle that...."

Glen Weichert, Assistant City Attorney, Claims Division, told Council that he feels much of this has gone on without his ability to address anyone. Councilmember Mullen suggested that since Council will not make any decision today it would be better for Mr. Weichert to communicate with the City Manager.

WATER AND WASTEWATER COMMISSION

Ms. Leda Roselle, chairperson, Water and Wastewater Commission, reported on the recommended plan for coordinating communications between boards and commissions during the water and wastewater master plan process. (Report on file in City Clerk's Office)

HEAD-IN PARKING

Councilmember Deuser discussed the process for approval of head-in parking directly off the street. He said there needs to be a clear process to prohibit what has happened on the Pecan Street condominiums. Dr. Benson, Director Urban Transportation, said that normally these do come to his department but this one got by. He said they will work on amending the procedure. Lonnie Davis, Director of Building Inspection, said this is a routine procedure and usually does not happen.

TAX INCREMENT ZONE(S)

Mayor McClellan introduced the discussion of feasibility of creating tax increment zone(s) in line with recently approved Texas Constitutional Amendment. Mr. Albert DeLaRosa said they are presently looking at the time frame. Mayor McClellan requested staff look into the Waller Creek area and also the Storm tract. Mr. DeLaRosa said staff could come back early next year with a report.

BOARDS AND COMMISSIONS

Mayor McClellan announced the following board and commission appointments are due to be made:

1. Ethics Review Commission - 1
2. Austin Tomorrow On-Going Committee - 1 and 5 alternates
3. Plumbing Advisory Board - 1 architect
4. Vending Commission - 2
5. Downtown Revitalization Task Force - 1
6. Manpower Advisory Planning Council - 1 City Manager Designee
2 YETP
1 Vocational Advisory Council Representative
7. Historic Landmark Commission - 1 citizen
8. Private Industry Council - 1 Business and Industry Representative
9. Affirmative Action Plan Advisory Committee - 5
10. Metropolitan Transit Authority Task Force - 4
11. Neighborhood Revitalization Commission - 1
12. Human Relations Commission - 1
13. Medical Assistance Program Advisory Board - 1 citizen; 3 consumers
14. Environmental Board - 1

CITIZEN COMMUNICATION

Mr. Bill Bode, a citizen, exercised his right to speak at the end of a Council Meeting even though he had not signed up to do so as a part of the Agenda. He offered his services for any additional pharmacy services which may be required.

ADJOURNMENT

Council adjourned its meeting at 4:50 p.m.

APPROVED *Carole Weston McCalla Reynolds*
Mayor
10/19/89

ATTEST:

Grace Monroe
City Clerk